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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/686,878	10/16/2003	Yu-Cheng Hsu	TUC920030050US1	7388

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Kunzler & McKenzie
8 EAST BROADWAY
SUITE 600
SALT LAKE CITY, UT 84111

EXAMINER	
JOHNSON, CARLTON	

ART UNIT	PAPER NUMBER
2136	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/686,878	HSU ET AL.	
	Examiner	Art Unit	
	CARLTON V. JOHNSON	2136	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *11 April 2008*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,3-8,10-22 and 24-30* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,3-8,10-22,24-30* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. In view of the Appeal Brief filed on 4/11/2008, PROSECUTION IS HEREBY REOPENED. A new ground of rejection is set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) request reinstatement of the appeal.

If reinstatement of the appeal is requested, such request must be accompanied by a supplemental appeal brief, but no new amendments, affidavits (37 CFR 1.130, 1.131 or 1.132) or other evidence are permitted. See 37 CFR 1.193(b)(2).

2. This action is responding to application papers filed on **10-16-2003**. Claims **1, 3 - 8, 10 - 22, 24 - 30** are pending. Claims **2, 9, 23** have been cancelled. Claims **1, 10, 13, 17, 24, 28** are independent.

Response to Arguments

3. Applicant's arguments filed 4/11/2008 have been fully considered but they are moot based on new grounds of rejection.

Responses:

3.1 Applicant argues that the referenced prior art does not disclose, boot loader.

Tallam discloses a computer boot loader that load an OS under normal procedures and load a recovery OS (data save, reduced kernel) under system crash conditions. (see Tallam col. 5, lines 5-10: boot loader (boot control module) for loading the OS; col. 3, lines 48-49: col. 4, lines 13-17: OS rebooted; col. 3, lines 33-36: kernel reduced to only code which is necessary to implement required functions)

3.2 Applicant argues that the referenced prior art does not disclose, data save of system memory.

Moiroux discloses the save of system data in the event of a system crash or a system shutdown due to incorrect condition. (see Moiroux col. 1, lines 55-60: save system memory context to non-volatile storage; indication system shutdown correctly or incorrectly (crash, abnormal condition))

3.3 Applicant's principal argument is the capability to reboot a computer system and place a special data save kernel (core executable) into execution at reboot completion and save the contents of volatile memory. This particular sequence of events raises an enablement issue and requires a USC 112 rejection. Applicant uses the term *"reboot"* multiple times within the specification with no definition of the term. Therefore, the generic definition of this particular term, "reboot", will be utilized.

The reboot of a computer system can be performed utilizing a hard boot (with power-off and power-on sequence) or a soft boot (with no power-off and power-on sequence). Applicant's specification does not disclose what type of reboot is implemented as part of the claimed invention. After a review of definitions for the term

"reboot" it was found that a power-off and power-on sequence in most situations can be part of a reboot procedure. If a reboot procedure includes a power-off and power-on sequence, then volatile memory is erased and there is no recoverable information for the data save kernel (executable) to save. Rebooting the processor clears the currently executing instruction sequence from the designated executing program (application executing under the control of an operational (executing) OS). And, the reboot procedure reloads a new instruction sequence (i.e. the data save kernel) for the processor to initiate executing instructions.

In addition, as part of the reboot procedure, volatile memory is erased when power is no longer supplied (during a power-off power-on sequence, if one is completed as part of the reboot procedure). This leads to the enablement problem with Applicant's invention. The invention cannot be implemented as claimed. If applicant feels that there is no enablement problem, please indicate the citations that prove a power-off and power-on sequence is definitely not completed as part of the reboot procedure for confirmation.

Prior art references disclose the save of volatile memory in the event of an abnormal condition (i.e. power failure, system crash). Prior art references discloses the reboot of a computer system after an abnormal condition (system crash).

Reboot Definitions:

With power-off and power-on sequence:

(http://www.thefreedictionary.com/reboot)

(http://www.webopedia.com/TERM/R/reboot.html)

(http://www.allwords.com/word-reboot.html)

(http://searchsmb.techtarget.com/sDefinition/0,,sid44_gci947403,00.html)

(http://www.yourdictionary.com/ahd/r/r0076750.html)

Without no power-off and power-on sequence:

(http://www.scala.com/definition/reboot.html)

The majority or almost all definitions of the term *"reboot"* indicate a power-off and power-on sequence as a possible step in the reboot procedure. The general consensus appears to be that a reboot can involve a power-off and power-on sequence. This sequence is not excluded by the specification and the original claims. Therefore, this disclosure renders the term "reboot" in the specification indefinite. If applicant feels that there is no indefinite problem with term "reboot", please indicate the citations that state a definition for the term "reboot" for confirmation.

3.4 After an additional analysis of the applicant's invention, remarks, and a search of the available prior art, it was determined that the current set of prior art consisting of **Moiroux (7,231,547)** and **Tallam (6,948,099)** and **Neuman (20030217299)** discloses applicant's invention.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claims **1, 10, 13, 17, 24, 28** are rejected under 35 U.S.C. 112, first paragraph, as

failing to comply with the enablement requirement. The claim(s) contains subject matter, which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

The reboot of a computer system can be performed utilizing a hard boot (with a power-off and power-on sequence) or a soft boot (without a power-off and power-on sequence). Applicant's specification does not disclose what type of reboot is implemented for the claimed invention. After a review of definitions for the term "reboot", it was found that a power-off and power-on sequence can be performed as part of a reboot procedure. If a reboot procedure includes a power-off and power-on sequence, then volatile memory is erased and there is no recoverable information for the data save kernel to save for placement onto non-volatile storage.

6. Claims **1, 10, 13, 17, 24, 28** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The reboot of a computer system can be performed utilizing a hard boot (with a power-off and power-on sequence) or a soft boot (with no power-off and power-on sequence). Applicant's specification or original claims do not disclose what type of reboot or definition of the term reboot implemented for the claimed invention.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

8. Claims **1, 3 - 7, 10, 11, 13 - 21, 24 - 30** are rejected under 35 U.S.C. 103(a) as being anticipated by **Moiroux et al.** (US Patent No. **7,231,547**) in view of **Tallam** (US Patent No. **6,948,099**).

With Regards to Claim 1, Moiroux discloses an apparatus for rapidly, deterministically transferring data, the apparatus comprising:

a) a processor configured to process data; (see Moiroux col. 3, lines 43-44: processor)

b) a volatile memory configured to store the data; (see Moiroux col. 3, lines 43-46: RAM (volatile memory))

d) the data transfer kernel configured to support a data save operation configured to save data in the volatile memory to a storage device. (see Moiroux col. 1, lines 55-60: method step: save current system memory context to non-volatile storage for entering a state (shutdown correctly or incorrectly); col. 2, lines 8-11: provide a back-up mechanism)

Moiroux discloses wherein a boot control module configured to boot the processor

with a standard operating kernel under a normal operating system. (see Moiroux col. 3, line 67 - col. 4, line 4: OS conventionally loaded from a predetermined place on a HDD (standard OS load)) And, Moiroux discloses wherein a data transfer kernel. (see Moiroux col. 1, lines 55-60: save current system memory context to non-volatile memory (data save kernel)) Moiroux does not specifically disclose to reboot the processor.

However, Tallam discloses:

c) to reboot the processor under an abnormal operating condition that threatens a loss of data in the volatile memory. (see Tallam col. 5, lines 5-10: boot loader (boot control module) for loading the OS; col. 3, lines 48-49: col. 4, lines 13-17: OS rebooted; col. 3, lines 33-36: kernel reduced to only code which is necessary to implement required functions)

It would have been obvious to one of ordinary skill in the art to modify Moiroux to reboot the processor under an abnormal operating condition that threatens a loss of data in the volatile memory as taught by Tallam. One of ordinary skill in the art would have been motivated to employ the teachings of Tallam in order for a better ways to re-load an operating system due to operating system corruption or the availability of updates. (see Tallam col. 1, lines 48-50: *" ... Thus, there is a continuing need for better ways to re-load an operating system due to operating system corruption or the availability of updates. ... "*)

With Regards to Claim 3, Moiroux discloses the apparatus of claim 1, wherein the data

save operation is selected from the group consisting of a storage configuration operation, a transfer process loading operation, a data transfer operation, and a system shutdown operation. (see Moiroux col. 1, lines 55-60: save operation (data transfer operation))

With Regards to Claims 4, 11, Moiroux discloses the apparatus of claims 3, 10, wherein the data transfer kernel is configured to support the data save operation. (see Moiroux col. 1, lines 55-60: save operation (data transfer operation)) (see Moiroux col. 1, lines 55-60: data save of system memory context) Moiroux does not specifically disclose exclusively supporting data save operation. However, Tallam discloses wherein exclusively supporting data save operation. (see Tallam col. 3, lines 33-36: minimal kernel)

It would have been obvious to one of ordinary skill in the art to modify Moiroux to exclusively supporting data save operation as taught by Tallam. One of ordinary skill in the art would have been motivated to employ the teachings of Tallam in order for a better ways to re-load an operating system due to operating system corruption or the availability of updates. (see Tallam col. 1, lines 48-50)

With Regards to Claim 5, Moiroux discloses the apparatus of claim 1, further comprising a memory module comprising data bits for marking data to be saved during the data save operation. (see Moiroux col. 3, lines 42-46; col. 3, lines 49-56: RAM image saved during save operation; device register values are transferred to form part

of RAM image)

With Regards to Claim 6, Moiroux discloses the apparatus of claim 5, wherein the standard operating kernel is further configured to mark data to be saved during a data save operation. (see Moiroux col. 3, lines 49-56: device register values are transferred from the devices into the RAM image RAM image configured to save OS))

With Regards to Claims 7, 21, Moiroux discloses the apparatus of claim 1, wherein the data transfer kernel is configured to configure a storage device for specialized data save operations. (see Moiroux col. 3, lines 49-56: device register values are transferred from the devices into the RAM image; RAM image configured to save OS))

With Regards to Claim 10, Moiroux discloses an apparatus for rapidly, deterministically transferring data to a storage device, the apparatus comprising:

a) a storage device configured to store data; (see Moiroux col. 4, lines 54-63: save system memory context to HDD (non-volatile memory))
b) a data transfer kernel configured to support data saving operations; (see Moiroux col. 1, lines 55-60: save operation (data transfer operation))

Moiroux discloses wherein a computer in communication with the storage device, the computer configured to load the data transfer kernel and the data transfer kernel configured to support a data save operation configured to save data in the volatile memory to the storage device. (see Moiroux col. 1, lines 55-60: save current system

memory context to non-volatile memory)

However, Tallam discloses:

c) a reboot procedure in response to an abnormal operating condition that threatens the loss of data in a volatile memory; (see Tallam col. 5, lines 5-10: boot loader (boot control module) for loading the OS; col. 3, lines 48-49: col. 4, lines 13-17: OS rebooted; col. 3, lines 33-36: kernel reduced to only code which is necessary to implement required functions)

It would have been obvious to one of ordinary skill in the art to modify Moiroux for a reboot procedure in response to an abnormal operating condition that threatens the loss of data in a volatile memory as taught by Tallam. One of ordinary skill in the art would have been motivated to employ the teachings of Tallam in order for a better ways to re-load an operating system due to operating system corruption or the availability of updates. (see Tallam col. 1, lines 48-50)

With Regards to Claim 13, Moiroux discloses an apparatus for rapidly, deterministically saving data, the apparatus comprising:

a) means for saving data in a non-volatile memory; (see Moiroux col. 1, lines 55-60: save operation (data transfer operation))

b) means for detecting a data save condition comprising an abnormal operating condition that threatens the loss of data in a volatile memory; (see Moiroux col. 1, lines 55-60: save data in preparation for entering a state (state indication: shutdown correctly or incorrectly))

Moiroux discloses means for a processor with a data transfer kernel in response to the abnormal operating condition, the data transfer kernel configured to save data to the means for saving data (see Moiroux col. 1, lines 55-60: save current system memory context to non-volatile storage)

However, Tallam discloses:

c) means for booting a processor with a data transfer kernel in response to the abnormal operating condition. (see Tallam col. 5, lines 5-10: boot loader (boot control module) for loading the OS; col. 3, lines 48-49: col. 4, lines 13-17: OS rebooted; col. 3, lines 33-36: kernel reduced to only code which is necessary to implement required functions)

It would have been obvious to one of ordinary skill in the art to modify Moiroux for booting a processor with a data transfer kernel in response to the abnormal operating condition as taught by Tallam. One of ordinary skill in the art would have been motivated to employ the teachings of Tallam in order for a better ways to re-load an operating system due to operating system corruption or the availability of updates. (see Tallam col. 1, lines 48-50)

With Regards to Claim 14, Moiroux discloses the apparatus of claim 13, further comprising means for configuring the means for saving data for data save operations. (see Moiroux col. 3, lines 49-56: device register values are transferred from the devices into the RAM image; RAM image configured to save OS))

With Regards to Claim 15, Moiroux discloses the apparatus of claim 13, further comprising means for booting a standard operating kernel for normal operation. (see Moiroux col. 3, line 67 - col. 4, line 4: OS is conventionally loaded from a predetermined place on a HDD)

With Regards to Claims 16, 27, 29, Moiroux discloses the apparatus, system, computer readable storage medium of claims 13, 24, 28, wherein comprising marking data to be saved during a data save operation. (see Moiroux col. 3, lines 49-56: device register values are transferred from the devices into the RAM image; RAM image configured to save OS))

With Regards to Claim 17, Moiroux discloses a system for rapidly, deterministically saving data to a storage device, the system comprising:

a) a processor configured to process data; (see Moiroux col. 3, lines 43-44: processor)

b) a memory configured to provide volatile storage for the data; (see Moiroux col. 3, lines 43-46: RAM (volatile memory))

c) a storage device configured to provide non-volatile storage for the data; (see Moiroux col. 4, lines 54-64: system memory context information stored on HDD (non-volatile storage))

Moiroux discloses wherein a boot control module configured to boot the processor module with a standard operating kernel under a normal operating condition (see

Moiroux col. 1, line 67 - col. 2, line 4: OS conventionally loaded (normal boot) from a predetermined place on a HDD) and to use a data transfer kernel under an abnormal operating condition that threatens the loss of data in the memory; the data transfer kernel configured to support a data save operation configured to save data in the memory to the storage device. (see Moiroux col. 1, lines 55-60: save system memory context to non-volatile storage) Moiroux does not specifically disclose a boot control module configured to boot the processor module and to reboot the processor.

However, Tallam discloses:

d) a boot control module configured to boot the processor module and to reboot the processor. (see Tallam col. 5, lines 5-10: boot loader (boot control module) for loading the OS; col. 3, lines 48-49: col. 4, lines 13-17: OS rebooted; col. 3, lines 33-36: kernel reduced to only code which is necessary to implement required functions)

It would have been obvious to one of ordinary skill in the art to modify Moiroux for a boot control module configured to boot the processor module and to reboot the processor as taught by Tallam. One of ordinary skill in the art would have been motivated to employ the teachings of Tallam in order for a better ways to re-load an operating system due to operating system corruption or the availability of updates. (see Tallam col. 1, lines 48-50)

With Regards to Claim 18, Moiroux discloses the system of claim 17, wherein the

standard operating kernel is configured to mark data in the memory to be saved by the data transfer kernel during a data save operation. (see Moiroux col. 3, lines 49-56: device register values are transferred from the devices into the RAM image; RAM image configured to save OS))

With Regards to Claims 19, 30, Moiroux discloses the system, computer readable storage medium of claims 17, 28, wherein the data transfer kernel is configured to support devices operations and processes required to save data. (see Moiroux col. 1, lines 55-60: data save of system memory context) Moiroux does not specifically disclose exclusively supporting devices operations and processes required to save data. However, Tallam discloses wherein configured to exclusively support devices operations and processes required to save data. (see Tallam col. 3, lines 33-36: kernel with minimal software (data transfer only))

It would have been obvious to one of ordinary skill in the art to modify Moiroux to be configured to exclusively support devices operations and processes required to save data as taught by Tallam. One of ordinary skill in the art would have been motivated to employ the teachings of Tallam in order for a better ways to re-load an operating system due to operating system corruption or the availability of updates. (see Tallam col. 1, lines 48-50)

With Regards to Claim 20, Moiroux discloses the apparatus of claim 1, wherein the data transfer kernel is configured to support a data save operation. (see Moiroux col. 1,

lines 55-60: data save operation; save system memory context)

With Regards to Claim 24, Moiroux discloses a method for rapidly, deterministically saving data, the method comprising:

a) detecting a data save condition comprising that threatens the loss of data in a volatile memory; (see Moiroux col. 1, lines 55-60: save system memory context to non-volatile storage; indication system has shutdown correctly or incorrectly)

Moiroux discloses wherein a data transfer kernel configured to support a data save operation configured to save the data in the volatile memory to a non-volatile storage device. (see Moiroux col. 1, lines 55-60: save system memory context to non-volatile storage) Moiroux does not specifically disclose rebooting a processor module with a kernel.

However, Tallam discloses:

b) rebooting a processor module with a kernel. (see Tallam col. 5, lines 5-10: boot loader (boot control module) for loading the OS; col. 3, lines 48-49: col. 4, lines 13-17: OS rebooted; col. 3, lines 33-36: kernel reduced to only code which is necessary to implement required functions)

It would have been obvious to one of ordinary skill in the art to modify Moiroux to rebooting a processor module with a kernel as taught by Tallam. One of ordinary skill in the art would have been motivated to employ the teachings of Tallam in order for a better ways to re-load an operating system due to operating system corruption or the availability of updates. (see Tallam col. 1, lines 48-50)

With Regards to Claim 25, Moiroux discloses the method of claim 24, further comprising supporting devices, operations, and conducting processes required to save data to a storage device. (see Moiroux col. 1, lines 55-60: data save of system memory context) Moiroux does not specifically disclose exclusively supporting to save data. However, Tallam discloses wherein exclusively supporting save data to a storage device. (see Tallam col. 3, lines 33-36: minimal kernel)

It would have been obvious to one of ordinary skill in the art to modify Moiroux to exclusively supporting save data to a storage device as taught by Tallam. One of ordinary skill in the art would have been motivated to employ the teachings of Tallam in order for a better ways to re-load an operating system due to operating system corruption or the availability of updates. (see Tallam col. 1, lines 48-50)

With Regards to Claim 26, Moiroux discloses the method of claim 24, further comprising configuring the non-volatile storage device to receive data. (see Moiroux col. 3, lines 49-56: device register values are transferred from the devices into the RAM image; RAM image configured to save OS))

With Regards to Claim 28, Moiroux discloses a computer readable storage medium comprising computer readable program code for rapidly, deterministically saving data, the program code configured to:

b) transfer the data with the data save operation from the memory module to a non-

volatile storage device. (see Moiroux col. 1, lines 55-60: save system context (OS) to non-volatile storage medium)

Moiroux discloses wherein a data transfer kernel configured to support a data save operation and in response to an abnormal operating condition that threatens the loss of data in a volatile memory module comprising volatile memory. (see Moiroux col. 1, lines 55-60: save current system memory context) Moiroux does not specifically disclose boot a processor module in response to an abnormal operating condition that threatens the loss of data in a volatile memory module.

However, Tallam discloses:

a) boot a processor module in response to an abnormal operating condition that threatens the loss of data in a volatile memory module; (see Tallam col. 5, lines 5-10: boot loader (boot control module) for loading the OS; col. 3, lines 48-49: col. 4, lines 13-17: OS rebooted; col. 3, lines 33-36: kernel reduced to only code which is necessary to implement required functions)

It would have been obvious to one of ordinary skill in the art to modify Moiroux to boot a processor module in response to an abnormal operating condition that threatens the loss of data in a volatile memory module as taught by Tallam. One of ordinary skill in the art would have been motivated to employ the teachings of Tallam in order for a better ways to re-load an operating system due to operating system corruption or the availability of updates. (see Tallam col. 1, lines 48-50)

9. Claims **8, 12, 22** are rejected under 35 U.S.C. 103(a) as being unpatentable over

Moiroux-Tallam and further in view of **Neuman et al.** (US PGPUB No. **20030217299**).

With Regards to Claims 8, 12, 22, Moiroux discloses the apparatus of claim 1, wherein the data transfer kernel. (see Moiroux col. 1, lines 55-60: saving the current system context (OS) to non-volatile memory) Moiroux does not specifically disclose wherein configured to conduct a power down procedure. However, Neuman discloses wherein configured to conduct a power down procedure. (see Neuman paragraph [0030], lines 1-5: power state management; paragraph [0003], lines 6-13; paragraph [0055], lines 1-7; paragraph [0057], lines 1-8: power down state (i.e. power down procedure))

It would have been obvious to one of ordinary skill in the art to modify Moiroux as taught by Neuman to enable a power down procedure. One of ordinary skill in the art would have been motivated to employ the teachings of Neuman in order to enable a reduction in the amount of data required to save system context for a recovery operation, and to enable a relatively fast wake-up procedure from a sleep state. (see Neuman paragraph [0015], lines 1-4: *" … Advantageously, embodiments of the present invention enable a power management system to be realised in which the amount of data that needs to be saved to preserve a system context is reduced. … "*; paragraph [0017], lines 1-3: *" … Furthermore, embodiments allow, in the absence of a power failure, a relatively fast wake-up time from a sleep state. … "*)

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Carlton V. Johnson whose telephone number is 571-270-1032. The examiner can normally be reached on Monday thru Friday , 8:00 - 5:00PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nasser Moazzami can be reached on 571-272-4195. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Nasser G Moazzami/
Supervisory Patent Examiner, Art Unit 2136

Carlton V. Johnson
Examiner
Art Unit 2136

CVJ
June 9, 2008